

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT APPLIES TO:

WAVE 9 CASES LISTED IN EXHIBIT A

Master File No. 2:12-MD-02327
MDL 2327

JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION
TO EXCLUDE DONALD R. OSTERGARD, M.D. FOR WAVE 9**

Defendants hereby adopt and incorporate by reference the *Daubert* motion filed against Donald R. Ostergard, M.D. for Ethicon Wave 3, Case No. 2:12-md-02327, Dkt. 2814 (motion); Dkt. 2816 (memorandum in support); and Dkt. 3011 (reply). Defendants respectfully request that the Court exclude Dr. Ostergard's testimony for the reasons expressed in the Wave 3 briefing.

This notice applies to the Wave 9 case identified in Exhibit A attached hereto.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage